IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 93 OF 2007
IN
STAMP NUMBER MAIN NO. 15 OF 2007

DEPUTY COLLECTOR (LA) LAND ACQUISITION OFFICER, PANAJI AND ANR ... Applicants

Versus

SHRI. PEDRO MARIANO OLIVERA (DECEASED) THROUGH HIS LR'S AND ANR ... Respondents

Mr. S. R. Rivankar, Govt. Advocate for the applicant.

Mr. J. J. Mulgaonkar, Advocate for the respondents No. 1a ,1d & 1f

Coram:- S.A. BOBDE, J.

Date:- 14th June, 2007

P.C.

Heard. This is an application for condonation of delay of a period of 193 days in filing the appeal. The applicants have filed their additional affidavit after the Counsel for the respondents raised objection on behalf of the respondents that there is no explanation for the delay between 29.10.06 to 6.12.06.

2. The award in the reference was delivered on 31.3.06. It appears that the application for certified copy, though made, was misplaced and thereafter, the matter was sent for filing an appeal by the concerned Govt. Advocate with opinion on 14.9.2006. After that there seems to have been difficulty at the stage of the Law Department because the Law Department took time in obtaining approval of the Government for filing the appeal. The file was sent to the Advocate General's Office on 6.12.2006 to be allotted to the Government Advocate for filing an appeal,

which was allotted to the Govt. Advocate on 6.12.2006 and on the same day. Thereafter, there was some doubt about the date of delivery of the award, clarification of which took time.

3. In the second affidavit filed by the applicants, it is contended that the certified copy was misplaced by the Registry of the Reference Court and a fresh application for certified copy was made. There is no substantial repudiation to these allegations. In the circumstances, the application for condonation is, hereby, allowed.

S.A. BOBDE, J.

ssm.